



Department of
**State Development,
Manufacturing,
Infrastructure and Planning**

Our ref: DEV2019/1061

4 November 2019

Herston Development Company Pty Ltd
C/- Australia Unity
Attn: Nick Leddy
Level 10, 500 Queen Street
BRISBANE QLD 4000

Dear Nick

SECTION 89(1)(a) PDA DEVELOPMENT APPROVAL FOR A PDA DEVELOPMENT APPLICATION FOR A PDA DEVELOPMENT PERMIT FOR OPERATIONAL WORKS (EARTHWORKS AND CLEARING OF SIGNIFICANT VEGETATION) AT 300 HERSTON ROAD, HERSTON DESCRIBED AS LOT 545 ON SP289113

On 4 November 2019 the Minister for Economic Development Queensland (MEDQ) approved the Priority Development Area (PDA) development application pursuant to s.85(4)(b) of the *Economic Development Act 2012*. The MEDQ has decided to grant all of the PDA development approval applied for, subject to PDA development conditions set out in this PDA decision notice.

The PDA decision notice and approved plans/documents can also be viewed in the MEDQ Development Approvals Register via the Department website www.dsdmip.qld.gov.au/pda-da-applications.

Should you have any queries in relation to this PDA decision notice, please do not hesitate to contact Karina McGill on 3452 7518.

Yours sincerely

Jeanine Stone
**Director
Development Assessment
Economic Development Queensland**

Minister for Economic Development
Queensland
GPO Box 2202
Brisbane Queensland 4001 Australia
Website www.edq.qld.gov.au
ABN 76 590 288 697

PDA Decision Notice – Approval

Site information		
Name of priority development area (PDA)	Herston Quarter	
Site address	300 Herston Road, Herston	
Lot on plan description	Lot number	Plan description
	Lot 545	SP289113
PDA development application details		
DEV reference number	DEV2019/1061	
'Properly made' date	27 August 2019	
Type of application	☒ New development involving: ☐ Material change of use ☐ Preliminary approval ☐ Development permit ☐ Reconfiguring a lot ☐ Preliminary approval ☐ Development permit ☒ Operational work ☐ Preliminary approval ☒ Development permit ☐ Changing a PDA development approval ☐ Extending the currency period of a PDA approval	
Description of proposal applied for	Operational Works – Earthworks and Clearing of Significant Vegetation	

PDA development approval details

Decision of the MEDQ	The MEDQ has decided to grant all of the PDA development approval applied for, subject to PDA development conditions forming part of this decision notice.
Decision date	4 November 2019
Currency period	2 years from the Decision date

Plans and documents

The plans and documents approved by the MEDQ and referred to in the PDA development conditions are detailed in the table below.

Approved plans and documents		Number (if applicable)	Date (if applicable)
1.	Vegetation Clearing Plan	1	No date (As amended in red 16 October 2019)
2.	Earthworks Plan Sheet 1	C-2016 Rev 5	09.08.19 (As amended in red 22 October 2019)
3.	Earthworks Plan Sheet 2	C-2017 Rev 5	09.08.19 (As amended in red 22 October 2019)
4.	Earthworks Plan Sheet 3	C-2018 Rev 5	09.08.19 (As amended in red 22 October 2019)

Compliance Assessment Process

Where a PDA development condition requires Compliance Assessment to be undertaken by the Minister for Economic Development Queensland (MEDQ) the following provisions apply:

- a) Notwithstanding the timing specified in a PDA development condition, if Compliance Assessment is required for a matter, Compliance Approval must be obtained prior to any work commencing for, or in relation to, the matter.
- b) The Compliance Assessment Process must be repeated and a further Compliance Approval must be obtained from the MEDQ where a different design or solution, to that already approved, is sought.
- c) The process and timeframes that apply to Compliance Assessment are as follows:
 - i. Prior to commencing Compliance Assessment, the applicant must consult with the MEDQ, about the documents, plans and supporting information required to be submitted to meet the requirements of the relevant PDA development condition(s).
 - ii. Compliance Assessment commences on the day after the applicant takes the following steps:
 1. submits to the MEDQ a duly completed Compliance Assessment Form;
 2. submits to the MEDQ the documents, plans and supporting information required under paragraph (c)(i); and

Compliance Assessment Process

3. pays to Economic Development Queensland (EDQ):
 - the relevant fee for Compliance Assessment set out in EDQ's development assessment fees and charges schedule (as amended from time to time); and
 - if requested by EDQ, any specialist consultant costs (e.g. an acoustic consultant, hydraulics engineer or architect) which will be charged on a 100% cost recovery basis.
- iii. **within 20 business days after Compliance Assessment commences**, the MEDQ will assess the documents, plans and supporting information and:
 1. if satisfied with the material as submitted – approve the documents, plans and supporting information and the PDA development condition (or the relevant element of the PDA development condition) is determined to have been met; or
 2. if not satisfied with the material as submitted – notify the applicant in writing accordingly. This notification may also include a request for further information required by the MEDQ to complete its assessment.
- iv. if the applicant **is** notified under paragraph (c)(iii)(2) above that the MEDQ is not satisfied that compliance has been achieved, revised documents, plans and supporting information, and any further information requested by the MEDQ must be submitted to the MEDQ **within 20 business days** after the date on which the applicant receives the notice, or such further period as may be agreed to in writing by the MEDQ.
- v. **within 20 business days after the date that the MEDQ receives the revised documents, plans and supporting information and any further information requested under paragraph (c)(iv) above**, the MEDQ will assess the revised material received and:
 1. if satisfied with the material submitted – approve the revised documents plans and supporting information and the PDA development condition (or the relevant element of the PDA development condition) is determined to have been met; or
 2. if not satisfied with the material as submitted – notify the applicant in writing accordingly.
- vi. if the applicant is notified under paragraph (c)(v)(2) above that the MEDQ is still not satisfied that compliance has been achieved, the applicant must repeat the steps set out in paragraphs (c)(iv) and (v) above until compliance has been achieved.
- vii. If either party is not satisfied by the outcome of the process set out in paragraph (c) above, that party may request the other party to enter into a mediation process with a single, independent, suitably qualified and experienced mediator agreed to by both parties. If a mediation process is entered into by both parties, the costs of the mediator will be shared equally by both parties.
- viii. Notwithstanding any provision or PDA development condition to the contrary, a PDA development condition (or the relevant element of the PDA development condition) that requires Compliance Assessment is determined to have been met only when MEDQ approves the relevant documents, plans and supporting information referred to in the PDA development condition (or the relevant element of the PDA development condition).

ABBREVIATIONS AND DEFINITIONS

For the purposes of interpreting the PDA Development Conditions, the following is a list of definitions and abbreviations utilised:

Certification Procedures Manual (CPM) stands for Certification Procedures Manual and means the document titled *Certification Procedures Manual*, prepared by the Department of Infrastructure, Local Government and Planning, Version 4, effective 16 October 2017.

Compliance Approval means a written notice issued by the MEDQ, or delegate, following completion of the Compliance Assessment Process, where it is confirmed that the submitted plans, documents and supporting information achieve compliance with the relevant PDA development condition(s) or the relevant element of the PDA development condition(s).

Compliance Assessment means the process undertaken by the MEDQ, or delegate, to decide whether the submitted plans or documents for the Works adequately achieve compliance with the relevant PDA development condition(s).

Compliance Assessment Process means the process for Compliance Assessment set out in this PDA decision notice.

Council means the Brisbane City Council.

DSDMIP stands for the Department of State Development, Manufacturing, Infrastructure and Planning, or any other department administering the *Economic Development Act 2012*.

Earthworks means carrying out any Works that are for Filling or Excavation.

EDQ means Economic Development Queensland, Development Assessment, DSDMIP, or as otherwise named.

Environmental Management Register (EMR) stands for the Environmental Management Register and has the meaning given in the *Environmental Protection Act 1994*.

Excavation means carrying out any Works involving the removal of material from the Land that will change the ground level.

Filling means carrying out any Works involving the importation and placement of material on the Land that will change the ground level.

Hoarding means site fencing erected for the duration of the Operational Work or Building Work, consisting of durable MR plywood, upon which advertising devices may be affixed (subject to relevant approvals), attached to any of the following:

- i) precast relocatable footings with a rigid steel frame;
- ii) concrete blocks with a timber or steel frame and bracing;
- iii) concrete road barriers with a timber or steel frame;
- iv) bored pier footings with a timber or steel frame; or
- v) as otherwise endorsed by the MEDQ in accordance with condition 17, titled Compliance Assessment – Hoarding and Placing of Advertising Devices.

MEDQ means the Minister for Economic Development Queensland established under the *Economic Development Act 2012*, or the relevant delegate of the MEDQ under a current instrument of delegation or sub-delegation.

Out-of-Hours means carrying out Works outside of the ordinary construction hours of Monday to Saturday 6:30am to 6:30pm, excluding public holidays.

PDA stands for priority development area.

RPEQ stands for Registered Professional Engineer of Queensland.

PDA Development Conditions		
No.	Condition	Timing
1.	Carry out the Approved Development Carry out the approved development generally in accordance with the approved plans, reports and documents.	At all times
2.	Certification of Operational Works All operational works, for contributed assets, undertaken in accordance with this approval are to comply with all requirements of and fulfil all responsibilities outlined in the <i>Certification Procedures Manual</i> .	As required by the <i>Certification Procedures Manual</i>
3.	Maintain the Approved Development Maintain the approved development (including landscaping, parking, driveways and other external spaces) generally in accordance with the approved plans and documents, and any other approval or endorsement required by these conditions.	At all times
4.	Compliance Assessment – Hoarding a) Submit to the MEDQ for Compliance Assessment detailed plans of any proposed Hoarding and associated signage (if signage is proposed), certified by a suitably qualified and experienced RPEQ b) Erect the approved Hoarding in accordance with the plans approved under part a) of this condition.	a) Prior to commencing relevant Works b) As required.
5.	Compliance Assessment – Vegetation Management Plan a) Submit to the MEDQ for Compliance Assessment, a Vegetation and Fauna Management Plan.	a) Prior to the commencement of vegetation clearing

	b) Undertake vegetation clearing in accordance with the plans approved under part a) of this condition. c) Vegetation clearing is to be supervised by a qualified arborist (AQF Level 5). d) Submit to the MEDQ, written certification from a qualified arborist (AQF Level 5) that vegetation clearing has been carried out generally in accordance with part b) of this condition.	b) At all times c) At all times d) Within 3 months of completion of clearing
Construction and Engineering Conditions		
6.	Construction and Site Management Plan a) Submit to EDQ Development Assessment, DSDMIP a Construction and Site Management Plan (CSMP), prepared by the Principal Site Contractor, that provides but is not necessarily limited to the following: i. a site layout plan superimposed on the road plan identifying the areas to be affected by the construction and access activities; ii. loading and unloading locations for materials; iii. on-site storage and placement of materials, structures, plant and equipment on site, from time to time; iv. if applicable, any proposed arrangement utilising any part of the road reserve for construction related activities; v. an estimate of the quantity of material to be removed and the approximate number of heavy vehicle movements per day, including destinations for loads; vi. location of proposed external hoardings (ultimate) and gantries; vii. location of perimeter fencing; viii. management of dust generated from the site during and outside of construction work hours in accordance with the Environmental Protection Act 1994; ix. if required, management of contaminated land including removal, treatment and replacement in accordance with a compliance permit from an approved contaminated land auditor; and x. a complaints process procedure, including escalation, to be established and maintained through the course of the development; and xi. management of waste for the all works xii. including hazardous waste storage and transportation prepared by the Principal Site Contractor. Where there are significant changes proposed to	a) Prior to the commencement of Works

	any of the above, a revised CSMP must be resubmitted to the MEDQ. Unless otherwise approved by EDQ Development Assessment, DSDMIP, construction hours are Monday to Saturday 6:30am to 6:30pm, excluding public holidays. b) Undertake all works in accordance with the CSMP which must be current and available on site at all times during the construction period.	b) As required
7.	Compliance Assessment Out-of-Hours Works a) Submit to the MEDQ for compliance assessment, all requests for Out-of-Hours construction works. Requests must be in writing on the EDQ Out-of-Hours Application Form and shall be accompanied by the following information: i. reason for the request; ii. site plan(s), where applicable; iii. demonstration that the proposed works can only reasonably and/or safely be undertaken out of normal construction hours; iv. potential adverse impacts and proposed mitigation strategies/measures; and v. a community engagement strategy and outcomes therefrom. b) Undertake all works generally in accordance with the approval obtained under part a) of this condition	a) At all times b) As nominated
8.	Development Identification Signage Erect a "Development Identification Sign" on the subject property in accordance with the requirements below: a) the sign should provide a brief description of the development proposed; b) the sign is to list the company name, general email address and a contact telephone number for the following parties that are undertaking work on the site: i. Developer; ii. Project Coordinator; and iii. Principal Site Contractor. c) the sign is to be positioned as follows: i. located centrally along each road frontage of the site to Bramston Terrace and Back Road; ii. located on or within 1.5 metres of the road frontage;	Prior to the commencement of works

	iii. mounted at least 300 millimetres above ground level; and iv. clearly visible from the street for a pedestrian; d) the sign is to contain no commercial or corporate advertising other than the name, logo or slogan of the parties outlined in part b) of this condition; and e) both the sign and the supporting structure are to be made of weatherproof material and to be properly maintained at all times	
9.	Construction Traffic Management Plan a) Submit to EDQ Development Assessment, DSDMIP a Traffic Management Plan (TMP) for any works within Road Reserve, certified by a person holding a current Traffic Management Level 3 qualification or higher. The TMP is to include the following: i. provision for the management of traffic around and through the site during and outside of construction work hours; ii. provision of parking for workers and materials delivery during and outside of construction hours of work; iii. risk identification, assessment and identification of mitigation measures; iv. ongoing monitoring, management review and certified updates (as required); and v. traffic control plans and/or traffic control diagrams, prepared in accordance with Manual of Uniform Traffic Control Devices (MUTCD), for any temporary part or full road closures of any Council or State road(s). b) Undertake all works generally in accordance with the certified TMP submitted under part a) of this condition which is to be current and available on site at all times.	a) Prior to the commencement of the relevant works b) At all times
10.	Erosion and Sediment Management a) Submit to EDQ Development Assessment, DSDMIP an Erosion and Sediment Control Plan (ESCP), certified by a RPEQ or an accredited professional in erosion and sediment control (CPESC), generally in accordance with the following guidelines: i. Urban Stormwater Quality Planning Guidelines 2010 (DEHP); and ii. Best Practice Erosion and Sediment Control (International Erosion Control Association).	a) Prior to the commencement of works

	b) Implement the certified ESCP as required under part a) of this condition.	b) At all times
11.	Public Infrastructure: Damage, Repairs and Relocation Repair any damage to existing public infrastructure that occurred during works carried out in association with the approved development within or external to the site. Should existing public infrastructure require relocation, due to the approved development, the developer is responsible for these costs together with compliance with relevant standards and statutory requirements.	At all times
12.	Construction Noise Management Plan a) Submit to EDQ Development Assessment, DSDMIP a Construction Noise Management Plan (CNMP), certified by a suitably qualified experienced person. At a minimum, the CNMP must address the following sections of <i>Australian Standard AS2436-2010</i> as they relate to the site and construction activities: i) s3.4 – Community Relations, including schedule of activities, community notification strategy, complaints reporting and response strategies ii) s4.4 – Post Approval/Construction Planning for Noise and Vibration, including strategies to minimise adverse impacts to proximate sensitive land uses/receptors iii) s4.5 – Control of Noise at Source, including strategies to control noise at source; iv) s4.6 – Controlling the Spread of Noise, including noise reduction measures v) s5.0 – Methods for Measurement of Noise and Vibration, including noise measurement and monitoring strategy. b) Undertake Works in accordance with the certified CNMP required under part a) of this condition. c) Where requested, submit to EDQ Development Assessment, DSDMIP, Noise Monitoring Reports, certified by a suitably qualified and experienced person, and evidence of compliance with the community relations elements of the CNMP required under part a) of this condition.	a) Prior to commencement of works b) As indicated c) As indicated
13.	Earthworks a) Submit to EDQ Development Assessment, DSDMIP detailed earthworks plans, certified by a RPEQ, generally in accordance with <i>AS3798 – 2007 “Guidelines on Earthworks for Commercial and Residential Developments”</i>.	a) Prior to commencement of works

	The certified earthworks plans are to: i. include a geotechnical soils assessment of the site; ii. The location of any cut or fill, and the associated character of material; iii. be consistent with the Erosion and Sediment Control plans submitted under condition 11; iv. provide full detail of areas where dispersive soils will be disturbed, treatment of dispersive soils and their rehabilitation; and v. provide full details of any areas where surplus soils are to be stockpiled. b) Carry out the earthworks generally in accordance with the certified plans submitted under part a) of this condition. c) Submit to EDQ Development Assessment, DSDMIP certification from a RPEQ that all earthworks have been carried out generally accordance with the certified plans submitted under part a) of this condition and that any unsuitable material encountered has been treated or replaced with suitable material.	b) At all times c) Within 20 days of completion of works
14.	Temporary Rock and Ground Anchor Report a) Submit to EDQ Development Assessment, DSDMIP a Temporary Rock and Ground Anchor Report (TRGAR), prepared and certified by a suitably qualified and experienced RPEQ addressing at a minimum: i) Evidence of consultation with relevant service authorities if rock and ground anchors are proposed to be installed in Road, confirming that the location of anchors is acceptable. The evidence is to include the date(s) of consultation, the information supplied to Metro North and each entity, a list of persons consulted, the comments received from Metro North and each entity (both written and verbal), and a response to the comments received; ii) Approval from adjoining land owners if rock and ground anchors are proposed to be installed under adjoining privately owned land; and b) Design and construct all Works in accordance with the certified TRGAR required under part a) of this condition. c) Submit to EDQ Development Assessment, DSDMIP as-constructed drawings and associated test documentation for all rock and ground anchors certified by a suitably qualified and experienced RPEQ that all rock and ground anchors have been	a) Prior to the commencing works b) At all times c) Within 20 business days of Practical Completion of Works involving rock and ground anchors

	constructed in accordance with the RGAR required under part a) of this condition. The as-constructed drawings and documentation is to include at a minimum: i) Locality, site, layout and section/elevation plans depicting the anchoring system details including position, length, inclination angle, lock-off load and typical anchor block; ii) Location of all bored piers, shoring and bored piling in plan and elevation views together with shoring and bored piling details; iii) Construction methodology used during the installation process and the results of any tests undertaken; iv) A survey plan of existing infrastructure (water, stormwater, sewer, street trees, signs and markings) and utility services (telecommunications, electricity, and gas) and adjacent foundation details; and v) The surveyed location of all Council pipe lines and maintenance holes (including depths of maintenance holes and clearances to anchors) in public/private properties plotted on the shoring plan and wall sections.	
15.	Structural Monitoring and Vibration a) Submit to EDQ Development Assessment, DSDMIP Development Assessment, DSDMIP a Structural Monitoring and Vibration Report (SMVR), certified by a suitably qualified and experienced RPEQ-structural and vibration, addressing at a minimum: i. The process to be adopted for in-situ testing based upon actual construction equipment and methods and based upon actual geotechnical conditions onsite to forecast what vibration can be expected during all Works, including: A. Excavation of existing basement and shoring; B. New Excavation; C. Installation of new foundations (i.e. piling); D. Details of proposed methods to mitigate and control vibration and ground movements during construction; ii. An instrumentation and monitoring plan, including drawings, detailing the frequency of monitoring, vibration limits and actions to be taken should the limits be exceeded. As a minimum, the monitoring must commence before any Excavation, continue during Excavations and construction, and finish one month after the completion of the permanent Works; iii. Confirmation from the relevant authorities including Metro North Hospital and Health	a) Prior to commencement of works

	Services that the vibrations limits have been submitted to the adjacent utility providers; iv. Confirmation from the relevant authorities including Metro North Hospital and Health Services has reviewed and endorsed the monitoring procedure for works adjacent the infrastructure; v. Details for any proposed anchoring, shall include: A. Whether the anchors are temporary or permanent; B. The lifespan of the anchors; C. Approval(s) from Council and/or adjoining property owners for rock anchors proposed to be located under roads and/or private property; vi. A dilapidation survey for all surrounding assets and details of on-going monitoring of these assets. b) Undertake all Works in accordance with the certified SMVR certified under part b) of this condition.	b) At all times during construction
16.	Acid Sulfate Soils (ASSMP) a) Where acid sulfate soils are found on site, submit to the MEDQ an Acid Sulfate Soils Management Plan (ASSMP). The ASSMP is to be prepared certified by a suitably qualified professional in soils and/or erosion sediment control. b) Excavate, remove and/or treat on-site all acid sulfate soils generally in accordance with the certified ASSMP submitted under part a) of this condition.	a) Prior to commencement of works b) At all times during construction

STANDARD ADVICE

Please note that in order to lawfully undertake development, it may be necessary to obtain approvals other than this PDA development approval. For advice on other approvals that may be necessary in relation to your proposal, it is recommended that you seek professional advice.

**** End of Package ****